

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DECISION AND ORDER
12-CR-192

WILFREDO RENOVALES,

Defendant.

This case was referred to Magistrate Judge Jeremiah J. McCarthy for supervision of all pretrial proceedings. Defendant filed a motion to suppress his statements and physical evidence procured as a result of those statements. A suppression hearing was held before Magistrate Judge McCarthy on February 20, 2013 and January 13, 2014. The parties then had an opportunity to file post-hearing briefs.

On July 14, 2014, Magistrate Judge McCarthy issued a Report and Recommendation recommending that defendant's suppression motion be denied in its entirety. Defendant submitted objections to Magistrate Judge McCarthy's Report and Recommendation and the Government filed a response. Oral argument was held before this Court on December 9, 2014.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a *de novo* determination of those portions of the Report and Recommendation to which

objections have been made. Upon *de novo* review and after reviewing the submissions of the parties and hearing oral argument, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge McCarthy's Report and Recommendation, defendant's motion to suppress statements and physical evidence procured as a result of those statements is denied in its entirety. The parties shall appear before this Court on January 14, 2015 at 9:00 am for a status conference and/or meeting to set trial date.

SO ORDERED.

Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT COURT

Dated: January 12, 2015